

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DUSTIN J. HAVENS

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

Defendant.

Civil No. 6:23-CV-00308-MK

ORDER FOR REMAND

Based on the stipulation between the parties it is hereby ORDERED that the above-captioned case be reversed and remanded. Upon remand, the Appeals Council will instruct an Administrative Law Judge (ALJ) to issue a new decision and instruct the ALJ to re-evaluate the evidence of record, give further consideration to the subjective symptom allegation and the residual functional capacity, and to offer Plaintiff the opportunity for a new hearing. The parties agree that reasonable attorney fees will be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

IT IS SO ORDERED this 12th day of July, 2023.

s/Michael J. McShane

UNITED STATES DISTRICT JUDGE

Submitted by:

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United States Attorney

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s/ L. Jamala Edwards  
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